

Appl. No. : 10/674,848  
Filed : September 29, 2003

### REMARKS

In response to the October 18, 2007 final Office Action and the February 6, 2008 Advisory Action, Applicants file a Request for Continued Examination (RCE) along with this paper. As such, Applicants respectfully request the entry of the amendments and reconsideration of the application in view of the above amendments and the following remarks. Upon the entry of the amendments, Claims 21, 24-32 and 34-40 are pending in this application.

#### Claim Amendments and Support

As set forth above, Applicants have cancelled Claims 22, 23 and 33, and amended Claims 21, 28-30, 35, and 37-40. The foregoing claim amendments are supported by the specification, claims and drawings as originally filed. More specifically, support for the amendments to Claims 21 and 28 can be found, for example, in Figures 6, 7a, 8, 9a and 9b and their description at paragraphs 0118-0137 and 0140-0154. Support for the amendments to Claims 29, 30 can be found, for example, in Figures 6, 7b, 8 and 9c and their description at paragraphs 0118-0144 and 0155-162. Support for the amendments to Claims 35 and 37-40 can be found, for example, in Figures 6, 7a, 7b, 8, 9a, 9b and 9c and their description at paragraphs 0118-162. As such, Applicants respectfully submit that the amendments are fully supported by the application as originally filed and do not constitute the addition of new matter.

#### Discussion of Rejection Under 35 U.S.C. § 102

The Examiner rejected Claims 21-40 under 35 U.S.C. § 102(b) as being anticipated by *Rajak*. Claims 22, 23 and 32 have been cancelled and therefore the rejection of these claims is moot. Applicants respectfully submit that *Rajak* does not anticipate the pending claims in light of the amended claims and arguments set forth in this office action response.

#### Disclosure of *Rajak*

*Rajak* discloses systems and methods for Internet content delivery using wireless and wire technologies. *Rajak* Col. 2, lines 64-67. For the Examiner's convenience, Figure 3 of *Rajak* is reproduced below.

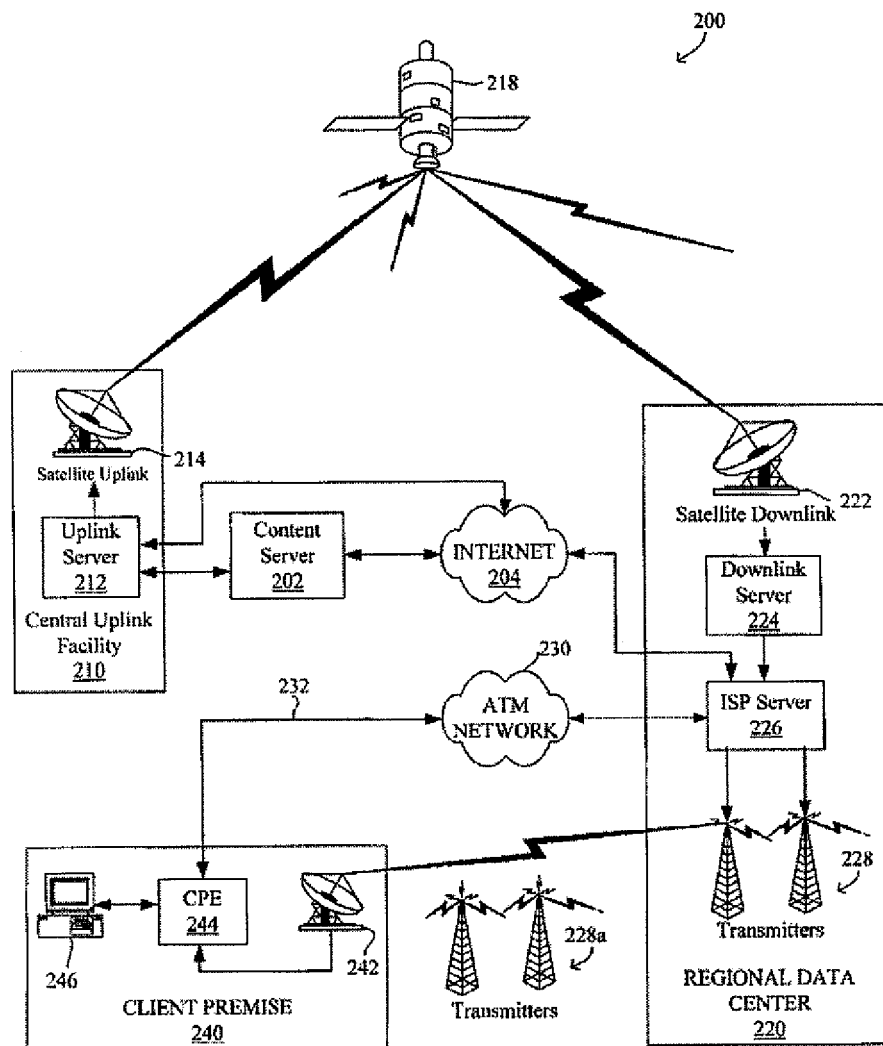


FIG. 3

*Rajak's* Internet content delivery system includes a content server 202, a central uplink facility 210, a satellite 218 and a regional data center 220. When an Internet content is requested by the end user terminal 246, the content is supplied to the regional data center 220 via either wireless or wired connection. In the wireless connection, the central uplink facility 210 uplinks the Internet content to a satellite 218. *Rajak* Col. 5, lines 1-30. *Rajak's* satellite broadcasts the Internet content to a regional data center 220. *Rajak* Col. 7, lines 34-51. In the wired connection, the Internet content is sent to the regional data center 220 via the Internet.

*Rajak* teaches that the delivery of the Internet content from the regional data center 220 to the end user terminal 246 can also be via either wired or wireless connection. Thus, the regional data center 220 determines whether the Internet content is to be delivered to the end user terminal

246 via **wired or wireless** connection. *Rajak* Col. 10, lines 55-60 (step 508); Col. 9, lines 36-18; Col. 8, lines 63-66; Col. 6, lines 66-67. *Rajak's* client premise 240 includes a client premise equipment (CPE) 244, the end user terminal 246, and optionally a wireless receiver 242. *Rajak* Col. 3, lines 5-24. The regional data center 220 can determine to deliver the Internet content via wired connection if the client premise 240 does not have a wireless receiver. Also, the regional data center 220 can determine to deliver the Internet content via wireless connection if the data requires a large bandwidth to transmit such as streaming multimedia data, thereby reducing the traffic in the ATM network 230. In the wireless transmission, the regional data center 220 sends the Internet content to the transmitters 228 only one time. Then, the transmitters 228 wirelessly retransmit the Internet content to many end users who attempt to access the same content.

#### Claim 21

Claim 21 is directed to a method of receiving a desired content by a user terminal. For the Examiner's convenience, the claim is reproduced here:

21. A method of receiving a desired content by a user terminal, the method comprising:
- connecting, by a user terminal, to a content providing server via a DSL network connected to the Internet, wherein the DSL network comprises a local DSL device, which links between the Internet and the user terminal;
  - requesting, by the user terminal, a desired content from the content providing server;
  - in reply to requesting, receiving, by the user terminal, a command from the content providing server for directing the user terminal to a multicast box that is configured to relay data for the desired content from the content providing server to the user terminal, wherein the multicast box is not for providing the user terminal with an Internet connection;
  - subsequent to receiving the command, communicating, by the user terminal, with the multicast box;
  - receiving, by the user terminal, a command from the multicast box to communicate with the local DSL device so as to obtain information for use in determining whether the local DSL device supports multicasting;
  - in reply to the command from the multicast box, communicating with the local DSL device, by the user terminal, to receive a response from the local DSL device for use in determining whether the local DSL device supports multicasting; and
  - receiving, by the user terminal, the data from the multicast box via the local DSL device.

*Rajak* does not teach all of the features of Claim 21. *Rajak's* end user terminal 246 does not receive a command from the content server 202 for directing the end user terminal to a device

Appl. No. : 10/674,848  
Filed : September 29, 2003

(multicast box) that is not for providing the user terminal with an Internet connection and also that is configured to relay data for a desired content from the content server 202 to the user terminal 246. *Rajak's* end user terminal 246 does not receive a command from a device (multicast box) to communicate with another device (local DSL device) so as to obtain information for use in determining whether the other device (local DSL device) supports multicasting. Further, *Rajak's* end user terminal 246 does not communicate with a device (local DSL device) to receive a response from the device for use in determining whether that device (local DSL device) supports multicasting.

As such, *Rajak* does not teach every feature of Claim 21. Applicants respectfully submit that *Rajak* cannot be an anticipatory reference against Claim 21. Claims 24-28 depend from Claim 21 and define additional technical limitations. Accordingly, at least for the same reason as in Claim 21, Claims 24- 28 are not anticipated by *Rajak*. Therefore, Applicants respectfully request the Examiner to withdraw the rejection of Claims 21 and 24- 28.

#### Claim 29

Claim 29 is directed to a method of receiving receiving a desired content by a user terminal. For the Examiner's convenience, the claim is reproduced here:

29. A method of receiving a desired content by a user terminal, the method comprising:

- connecting, by a user terminal, to a content providing server via a DSL network connected to the Internet, wherein the DSL network comprises a local DSL device, which links between the Internet and the user terminal;

- requesting, by the user terminal, a desired content to the content providing server;

- in reply to requesting, receiving, by the user terminal, a command from the content providing server for directing the user terminal to a multicast box that is configured to relay data for the desired content from the content providing server to the user terminal, wherein the multicast box is not for providing the user terminal with an Internet connection;

- subsequent to receiving the command, communicating, by the user terminal, with the multicast box;

- in response to communicating, determining, by the user terminal, whether the data is available for multicasting at the local DSL device; and

- if determined that the data is available for multicasting at the local DSL device, receiving, by the user terminal, the data from the local DSL device.

*Rajak* does not teach all of the features of Claim 29. As discussed above in connection with Claim 21, *Rajak's* end user terminal 246 does not receive a command from the content server

Appl. No. : 10/674,848  
Filed : September 29, 2003

202 for directing the end user terminal to a device (multicast box) that is not for providing the user terminal with an Internet connection and also that is configured to relay data for a desired content from the content server 202 to the user terminal 246. *Rajak*'s end user terminal 246 does not determine whether data for a desired content is available for multicasting at a device (local DSL device) that links between the Internet and the user terminal 256. In *Rajak*, the CPE 244 and ATM Network 230 could provide the DSL link between the Internet and the user terminal 246; however, the user terminal 246 does not do such determination, and there is no need for such determination.

As such, *Rajak* does not teach every feature of Claim 29. Applicants respectfully assert that *Rajak* cannot be an anticipatory reference against Claim 29 and its dependent claims, Claims 30-32 and 34.

#### Claim 35

Claim 35 is directed to a method of relaying data from a content providing server to a terminal connected to a DSL network. For the Examiner's convenience, the claim is reproduced here:

35. A method of relaying data from a content providing server to a terminal connected to a DSL network, the method comprising:
- providing a multicast box configured to relay data from a content providing server to user terminals, wherein the multicast box is not for providing the user terminals with an Internet connection;
  - receiving, by the multicast box, data for a content from a content providing server, wherein the data is for a content selected by a first user terminal via a local DSL device linking between the Internet and the first user terminal;
  - subsequent to receiving the data, communicating, by the multicast box, with the first user terminal so as for the first user terminal to verify whether a local DSL device supports multicasting; and
  - receiving, by the multicast box from the first user terminal, information indicative of whether the local DSL device supports multicasting;
  - subsequent to receiving the information, transmitting, by the multicast box, the data to the first user terminal.

*Rajak* does not teach all of the features of Claim 35. *Rajak* fails to teach the multicast box that is configured to relay data from a content providing server to user terminals, and further is not for providing the user terminals with an Internet connection. Also and accordingly, *Rajak* fails to teach the feature of communicating by the multicast box with a user terminal so as for the user terminal to verify whether a local DSL device supports multicasting. *Rajak*'s user terminal

Appl. No. : 10/674,848  
Filed : September 29, 2003

246 does not verify whether a device (local DSL device linking between the user terminal 246 and the Internet) supports multicasting.

As such, *Rajak* does not teach every feature of Claim 35. Applicants respectfully submit that *Rajak* cannot be an anticipatory reference against Claim 35 and its dependent claims, Claim 36-40.

#### Dependent Claims

Although Applicants have not addressed all the issues of the dependent claims, Applicants respectfully submit that Applicants do not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicants believe that each claim is patentable on its own merits. Applicants respectfully submit that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicants respectfully request the withdrawal of all claim rejections and prompts allowance of the claims.

#### No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Appl. No. : 10/674,848  
Filed : September 29, 2003

### CONCLUSION

Applicants have endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, arguments in support of the patentability of the pending claim set are presented above.

In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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